

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
No FEAR Act Report
10/01/07 Through 06/30/08

Complaint Activity	Comparative Data					2008 Through 6-30
	Previous Fiscal Year Data					
	2003	2004	2005	2006	2007	
Number of Complaints Filed		90	126	96	94	70
Number of Complainants		78	114	84	91	67
Repeat Filers		9	8	5	3	3

Complaints by Basis	Comparative Data					2008 Through 6-30
	Previous Fiscal Year Data					
	2003	2004	2005	2006	2007	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>						
Race		125	30	41	32	28
Color		0	6	16	17	13
Religion		20	12	4	1	6
Reprisal		174	31	47	35	23
Sex		125	26	26	37	29
National Origin		52	16	20	22	11
Equal Pay Act		0	0	0	1	0
Age		106	21	36	32	25
Disability		78	33	31	11	16
Non-EEO		7	6	8	3	3

Complaints by Issue	Comparative Data					2008 Through 6-30
	Previous Fiscal Year Data					
	2003	2004	2005	2006	2007	
<i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed .</i>						
Appointment/Hire		0	2	7	4	1
Assignment of Duties		14	2	4	7	0
Awards		2	0	0	0	1
Conversion to Full-time		0	0	0	0	0
Disciplinary Action						
Demotion		6	3	1	3	0
Reprimand		7	6	3	7	2
Removal		13	3	6	3	1
Suspension		33	3	4	2	1
Other		0	0	0	0	0
Duty Hours		0	0	0	0	0
Evaluation Appraisal		37	14	6	11	7
Examination/Test		0	0	0	1	0
Harassment						
Non-Sexual		76	19	19	27	20
Sexual		13	10	0	6	0
Medical Examination		0	0	0	0	0
Pay (Including Overtime)		3	7	3	2	0
Promotion/Non-Selection		88	32	33	35	31
Reassignment						
Denied		0	0	0	5	3
Directed		1	8	2	4	2
Reasonable Accommodation		11	1	4	3	5
Reinstatement		1	0	0	1	0
Retirement		0	0	1	0	1
Termination		33	5	6	11	2
Terms/Conditions of Employment		60	15	17	18	18
Time and Attendance		13	3	2	7	4
Training		11	6	1	3	2
Other		0	4	0	0	0

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Processing Time	Comparative Data Previous Fiscal Year Data					2008 Through 6-30
	2003	2004	2005	2006	2007	
Complaints pending during fiscal year						
Average number of days in investigation				264	225.1	242
Average number of days in final action				273	281.5	90
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation		1082	170	323	272.8	211
Average number of days in final action		1147	702	299	162.6	90
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation		690	148	213	167.1	450
Average number of days in final action		876	565	409	426.3	n/a

Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2008 Through 6-30
	2003	2004	2005	2006	2007	
Total Complaints Dismissed by Agency		26	45	21	22	19
Average days pending prior to dismissal		232	610	123	172.9	183.21
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants		12	8	7	12	8

Total Final Actions Finding Discrimination	Comparative Data										2008 Through 6-30	
	Previous Fiscal Year Data											
	2003		2004		2005		2006		2007			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings			1		1		7		2		0	
Without Hearing			0	0	0	0	1	15	0	0	0	0
With Hearing			1	1	1	1	6	85	2	100%	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data											
											2008 Through 6-30	
2003		2004		2005		2006		2007				
#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings		1		1		7		2		0		
Race		1	100%	0	0	5	71%	0	0	0	0	
Color		1	100%	0	0	0	0	0	0	0	0	
Religion		0	0	0	0	1	14%	1	50%	0	0	
Reprisal		1	100%	0	0	1	14%	1	50%	0	0	
Sex		1	100%	0	0	4	57%	1	50%	0	0	
National Origin		0	0	1	100%	1	14%	1	50%	0	0	
Equal Pay Act		1	100%	1	100%	0	0	0	0	0	0	
Age		0	0	0	0	1	14%	0	0	0	0	
Disability		0	0	0	0	0	0	0	0	0	0	
Non-EEO		0	0	0	0	0	0	0	0	0	0	

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Findings After Hearing			1	100%	1	100%	6	86%	2	100%	0	0
Race			0	0	0	0	0	0	0	0	0	0
Color			1	100%	0	0	4	66%	0	0	0	0
Religion			1	100%	0	0	0	0	1	50%	0	0
Reprisal			0	0	0	0	1	16%	1	50%	0	0
Sex			1	100%	0	0	1	16%	1	50%	0	0
National Origin			1	100%	0	0	4	66%	0	0	0	0
Equal Pay Act			0	0	1	100%	1	16%	1	50%	0	0
Age			1	100%	1	100%	0	0	0	0	0	0
Disability			0	0	0	0	1	16%	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0	0
Findings Without Hearing			0	0	0	0	0	0	0	0	0	0
Race			0	0	0	0	0	0	0	0	0	0
Color			0	0	0	0	0	0	0	0	0	0
Religion			0	0	0	0	0	0	0	0	0	0
Reprisal			0	0	0	0	0	0	0	0	0	0
Sex			0	0	0	0	0	0	0	0	0	0
National Origin			0	0	0	0	0	0	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			0	0	0	0	0	0	0	0	0	0
Disability			0	0	0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										2008 Through 6-30	
	Previous Fiscal Year Data											
	2003		2004		2005		2006		2007			
#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings			1		1		7		2		0	
Appointment/Hire			0	0	0	0	0	0	0	0	0	0
Assignment of Duties			0	0	0	0	0	0	0	0	0	0
Awards			0	0	0	0	1	14%	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action			0	0	0	0	0	0	0	0	0	0
Demotion			0	0	0	0	0	0	0	0	0	0
Reprimand			0	0	0	0	0	0	0	0	0	0
Suspension			0	0	0	0	0	0	0	0	0	0
Removal			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			0	0	0	0	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment			0	0	0	0	0	0	0	0	0	0
Non-Sexual			1	100%	0	0	1	14%	1	50%	0	0
Sexual			0	0	0	0	0	0	0	0	0	0
Medical Examination			0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection			0	0	1	100%	3	42%	0	0	0	0
Reassignment			0	0	0	0	0	0	0	0	0	0
Denied			0	0	0	0	0	0	0	0	0	0
Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation			0	0	0	0	1	14%	0	0	0	0
Reinstatement			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	1	14%	0	0	0	0
Terms/Conditions of			0	0	0	0	0	0	1	50%	0	0
Time and Attendance			0	0	0	0	0	0	1	50%	0	0
Training			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	1	50%	0	0

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Findings After Hearing		0	0	0	0	6	86%	2	100%	0	
Appointment/Hire		0	0	0	0	0	0	0	0	0	0
Assignment of Duties		0	0	0	0	0	0	0	0	0	0
Awards		0	0	0	0	1	14%	0	0	0	0
Conversion to Full-time		0	0	0	0	0	0	0	0	0	0
Disciplinary Action		0	0	0	0	0	0	0	0	0	0
Demotion		0	0	0	0	0	0	0	0	0	0
Reprimand		0	0	0	0	0	0	0	0	0	0
Suspension		0	0	0	0	0	0	0	0	0	0
Removal		0	0	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	0	0	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment		0	0	0	0	0	0	0	0	0	0
Non-Sexual		0	1	0	0	1	14%	1	50%	0	0
Sexual		0	0	0	0	0	0	0	0	0	0
Medical Examination		0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)		0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection		0	0	0	0	0	0	0	0	0	0
Reassignment		0	0	0	0	3	42%	0	0	0	0
Denied		0	0	0	0	0	0	0	0	0	0
Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation		0	0	0	0	1	14%	0	0	0	0
Reinstatement		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0
Termination		0	0	0	0	1	14%	0	0	0	0
Terms/Conditions of Employment		0	0	0	0	0	0	1	50%	0	0
Time and Attendance		0	0	0	0	0	0	1	50%	0	0
Training		0	0	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	1	50%	0	0
Findings Without Hearing		0	0	0	0	1	14%	0	0	0	
Appointment/Hire		0	0	0	0	0	0	0	0	0	0
Assignment of Duties		0	0	0	0	0	0	0	0	0	0
Awards		0	0	0	0	0	0	0	0	0	0
Conversion to Full-time		0	0	0	0	0	0	0	0	0	0
Disciplinary Action		0	0	0	0	0	0	0	0	0	0
Demotion		0	0	0	0	0	0	0	0	0	0
Reprimand		0	0	0	0	0	0	0	0	0	0
Suspension		0	0	0	0	0	0	0	0	0	0
Removal		0	0	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	1	100%	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment		0	0	0	0	0	0	0	0	0	0
Non-Sexual		0	0	0	0	1	100%	0	0	0	0
Sexual		0	0	0	0	0	0	0	0	0	0
Medical Examination		0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)		0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection		0	0	0	0	0	0	0	0	0	0
Reassignment		0	0	0	0	0	0	0	0	0	0
Denied		0	0	0	0	0	0	0	0	0	0
Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation		0	0	0	0	0	0	0	0	0	0
Reinstatement		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0
Termination		0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment		0	0	0	0	0	0	0	0	0	0
Time and Attendance		0	0	0	0	0	0	0	0	0	0
Training		0	0	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data					2008 Through 6-30
	2003	2004	2005	2006	2007	
Total complaints from previous Fiscal Years		165	76	82	68	87
Total Complainants		129	65	71	62	82
Number complaints pending						
Investigation		1	0	0	2	3
Hearing		37	23	22	16	24
Final Action		115	31	40	33	54
Appeal with EEOC Office of Federal		115	31	40	17	6

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Complaint Investigations	Comparative Data					2008 Through 6-30
	Previous Fiscal Year Data					
	2003	2004	2005	2006	2007	
Pending Complaints Where Investigations Exceeds Required Time Frames		4	4	4	10	28